

OGC Has Reviewed

17 December 1959

MEMORANDUM FOR: Chief, Management Staff

SUBJECT: Legality of Time-and-Motion Studies on Government Personnel

1. In answer to your inquiry as to whether or not there was a provision of law which makes it illegal to do a time-and-motion study on the work of an individual, I have now received a reply from the General Accounting Office. In the course of discussing this matter last week with your staff, I telephoned to Mr. Stephen Brown (Code 125, ext. 4382) whose name had been given me by our Agency GAO representative, Mr. Williams. Mr. Brown is Assistant Director, Accounting and Policy Staff, and apparently concerns himself with management problems in GAO.

2. Mr. Brown confirmed Mr. Wettergreen's belief that there was a rider in an old Navy appropriations bill which forbade the use of stop watches in timing the work of Navy employees. Mr. Brown also said that there was nothing in the Budget and Accounting Act of 1951 on this subject.

3. Mr. Brown called me again on 15 December 1959 to state that the Index-Digest Section of GAO made a review of unpublished GAO opinions in connection with the use of timing devices. They went back as far as 1938 and found no general discussion on this point. Of course, an 1888 statute is still on the books which, in effect, prohibits the use of time clocks for Government workers. However, GAO is aware that the statute is not observed and time clocks actually are commonly found in Post Offices and Navy Yards. The Index-Digest people have reported that the prohibition against the use of stop watches no longer appeared in an appropriations act after 1949. It is Mr. Brown's belief, therefore, that there is no such general prohibition at present.

4. Consequently, it appears to me that an Agency may make a management study which involves, to a reasonable degree, the use of timing devices in connection with the analysis of the work of individual employees. The study probably should be of such a nature that it is self-evident that the efficiency of a particular employee is not being measured as a preliminary to disciplinary action, but rather the measurement of an individual employee's work should be incidental to a study of work problems in a particular systemic context.

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5. Mr. Brown said that it was possible that a gentleman by the name of Edmund Dwyer, a Navy Department employee, might have additional information on this subject. According to Mr. Brown's records, Mr. Dwyer's telephone number is Code 11, ext. 62176.

STATINTL

ASSISTANT GENERAL COUNSEL

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